

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO. 7:19-CR-00089-D

UNITED STATES OF AMERICA :  
 :  
 v. :  
 :  
 MICHAEL LEE PHELPS :

**FINAL ORDER OF FORFEITURE**

WHEREAS, on January 30, 2020, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 21 U.S.C. § 853 and 18 U.S.C. § 924(d)(1), made applicable to this proceeding by virtue of 28 U.S.C. § 2461(c), based upon the defendant pleading guilty to 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 924(c)(1)(a)(i), and agreeing to the forfeiture of the property listed in the January 30, 2020 Preliminary Order of Forfeiture, to wit:

- a) A black in color Beretta Model PX4 .40 caliber handgun, bearing serial number PY04969;
- b) A black in color Ruger Model LCP .380 caliber firearm, bearing serial number 37638117;
- c) A black in color Fime Group Model TAC 12 gauge shotgun, bearing serial number H124000637;
- d) A black and brown in color Pocket Model Positive .32 caliber firearm, bearing no serial number;
- e) Any and all related ammunition and magazines; and

f) \$4,253.00 in United States currency;

AND WHEREAS, the United States has been advised by an agent of the Onslow County Sheriff's Office that the subject \$4,253.00 in U. S. currency has been retrieved by the North Carolina Department of Revenue. Hence, the currency is no longer available for judicial forfeiture in this criminal action;


AND WHEREAS, as to the subject firearms, ammunition, and magazines, in accordance with Supplemental Rule G(4)(i)(A), the Government is not required to publish notice, as the property forfeited is worth less than \$1,000. In addition, as no other potential claimants are known, no direct notice need be provided;

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed for any of the subject property described in this Court's January 30, 2020 Preliminary Order of Forfeiture.

It is HEREBY ORDERED, ADJUDGED and DECREED:

That the subject firearms, ammunition, and magazines, listed in the January 30, 2020 Preliminary Order of Forfeiture are hereby forfeited to the United States. That the state or local custodial agency is directed to dispose of the forfeited property by destruction or incapacitation in accordance with its regulations, when no longer needed as evidence and, in accordance with law.

SO ORDERED this 22 day of October, 2020.

  
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JAMES C. DEVER III  
United States District Judge